

S/N 09/282,285

Response to Office Action Dated June 4, 2004

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claims 1-43 have been cancelled without prejudice.

Claims 44-63 are new.

Accordingly, claims 44-63 are pending.

Claim Rejections

Claims 1-6, 8-13, 15-17, 19-23, 25, 28, 30-36, 38-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,240,555 to Shoff et al. (hereinafter "Shoff") in view of United States Patent No. 6,108,706 to Birdwell et al. (hereinafter "Birdwell"). Claims 7, 18, 24, 26-27, and 37 are rejected as being unpatentable over Shoff in view of Birdwell, and further in view of United States Patent No. 6,421,694 to Nawaz et al. (hereinafter "Nawaz"). Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shoff in view of Birdwell and further in view of Kate. Claims 29 and 43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Birdwell and in view of Nawaz. The Applicant has cancelled claims 1-43, thereby obviating the rejections. These claims are presented in a continuation, thereby disqualifying the prior art under the provisions of 35 U.S.C. 103(c).

Claim 44 is a new independent claim that recites a method comprising:

- receiving streamed content;
- receiving enhancing content that corresponds to the streamed content;
- and
- determining if the enhancing content includes each file needed for

S/N 09/282,285

Response to Office Action Dated June 4, 2004

proper display of the enhancing content with the streamed content, and
if not, displaying the streamed content without the enhancing content.

Support for this claim may be found throughout the specification and drawings as
filed, such as at page 15 of the subject application.

Claim 54 is a new independent claim that recites a computer-readable
system having computer-executable instructions for determining if enhancing
content includes each file needed for proper display of the enhancing content with
streamed content, and if not, displaying the streamed content without the
enhancing content, and if so, displaying the enhancing content with the streamed
content. Support for this claim may be found throughout the specification and
drawings as filed, such as at page 15 of the subject application.

Claim 60 is a new independent claim that recites a system comprising:

- at least one content server being configured to stream content;
- a client being configured to determine if enhancing content cached on
the client includes each file needed for proper display of the enhancing
content with the streaming content, and if so, coordinate presentation of
the enhancing content with the streaming content.

Support for this claim may be found throughout the specification and drawings as
filed, such as at page 15 of the subject application.

Accordingly, the above referenced claims are believed to be allowable.
Additionally, **Claims 45-53** depend either directly or indirectly from claim 44, and
are therefore allowable based on dependence from an allowable based claim and
for their own recited features. **Claims 55-59** depend either directly or indirectly
from claim 54, and are therefore allowable based on dependence from an
allowable based claim and for their own recited features. **Claims 61-63** depend

S/N 09/282,285

Response to Office Action Dated June 4, 2004

1 either directly or indirectly from claim 60, and are therefore allowable based on
2 dependence from an allowable based claim and for their own recited features.

3
4 **Conclusion**

5 Claims 44-63 are in condition for allowance. Applicant respectfully
6 requests reconsideration and prompt issuance of the subject application.

7
8 Respectfully Submitted,

9
10
11 Date: 9/2/04

12 By: William J. Breen III
13 Reg. No. 45,313
14
15
16
17
18
19
20
21
22
23
24
25